

**CIVILIAN POLICE REVIEW BOARD  
OFFICE OF PROFESSIONAL STANDARDS**

August 11, 2020

**MEETING MINUTES**

**I. CALL TO ORDER – 10:17**

**Michael Graham, Chairperson**

**II. ROLL CALL**

Chairperson Graham

**CPRB MEMBERS**

**ATTENDANCE**

Michael Graham, Chair  
Michael Hess  
Ernest Turner  
Mary Clark  
Ken Mountcastle  
David Gatian  
Geri Butler, Staff Counsel  
LeeAnn Hanlon, Secretary

**OPS STAFF**

**ATTENDANCE**

Roger Smith, Administrator  
Vincent Funari, Investigator  
David Hammons, Investigator  
Art Bowker, Investigator  
Anitra Merritt, Investigator  
Eric Richardson, Investigator  
Barbara Williams-Bennett, Investigator  
Julie Delaney, Investigator

**III. APPROVAL OF MINUTES**

**IV. PUBLIC COMMENT**

**V. ADMINISTRATIVE DISMISSAL APPEAL**

Administrator Smith

**VI. PRESENTATION OF INVESTIGATIONS**

Administrator Smith

**VII. ANNOUNCEMENTS AND COMMUNICATIONS**

**VIII. OPS REPORT**

Administrator Smith

**A. REVIEW OF CHIEF DISCIPLINARY DECISIONS**

**B. REVIEW OF DIRECTOR DISCIPLINARY DECISION**

**IX.. POLICY UPDATES**

**X. COMMITTEE REPORTS**

**XI. UNFINISHED BUSINESS**

**XII. NEW BUSINESS**

**XIII. ADJOURNMENT**

**Next Meeting Date: September 8, 2020, at 10:00 am**

### **III. APPROVAL OF MINUTES**

Mr. Graham made a motion to approve the minutes. Motion seconded by Mr. Hess and the motion to approve the minutes passed.

### **IV. PUBLIC COMMENT – Mr. Graham reminded everyone of the three (3) minute time limit.**

Dave Lima, SURJ –

Attorney General William Barr and U.S. Attorney for the Northern District of Ohio, Justin Herdman, announced the arrival of Operation Relentless Pursuit and Operation Legend in Cleveland to fight violent crime. We know a few things about these operations, but much is unknown. Operation Legend will bring up to 25 federal officers to Cleveland to bolster the ranks of the FBI, U.S. Marshals Service, DEA, and ATF and target high crime neighborhoods. As is true of other task force operations, transparency is not likely to be a priority.

The same is true for Operation Relentless Pursuit. Under Operation Relentless Pursuit, the Cleveland Department of Police will receive nearly 8 million dollars to hire 30 new police officers to replace 30 veteran Cleveland Department of Police officer who will be assigned to a task force under the direction of the U.S. Attorney. This arrangement raises significant questions for Cleveland’s police oversight system and the Cleveland Department of Police’s Internal Affairs department. Will misconduct complaints about CDP officers assigned to the task force be received by OPS and permitted to be processed in the current manner? Or will these officers, members of the CDP but serving under the U.S. Attorney, be exempt from local oversight? Will the jurisdiction of Internal Affairs be compromised? What if a CDP officer assigned to the task force causes serious injury or death? Will it be assumed to be under federal jurisdiction and not subject to local investigation and prosecution? How will task force members identify themselves? As federal officers or as members of the CDP? Will CDP task force members be subject to CDP’s general police orders?

In the coming months, Cleveland police oversight system is likely to face serious jurisdictional challenges concerning the 30 officers assigned to the federal task force. These questions point to the potential of a weakened oversight system which we believe is not in the best interest of Cleveland and its residents.

**V. ADMINISTRATIVE DISMISSAL APPEAL**

**a. 20-016: Matanick**

P.O. Holcomb #877

Allegation: Improper Citation

Recommendation: Uphold Administrative Dismissal

Motion: Graham

Second: Clark

*Motion passes*

**VI. PRESENTATION OF INVESTIGATIONS**

**a. 19-037: Johnson/Robinson**

Sgt. Allen #9167

Allegation: Improper Search

Recommendation: Exonerated

Motion: Graham

Second: Hess

*Motion passes*

Allegation: Improper Arrest

Recommendation: Exonerated

Motion: Graham

Second: Hess

*Motion passes*

Allegation: Unprofessional Conduct

Recommendation: Insufficient Evidence

Motion: Graham

Second: Turner

*Motion passes*

Allegation: Bias Policing

Recommendation: Unfounded

Motion: Graham

Second: Clark

*Motion passes*

P.O. Readinger #1328

Allegation: Improper Search  
Recommendation: Exonerated  
Motion: Graham  
Second: Clark  
*Motion passes*

Allegation: Bias Policing  
Recommendation: Unfounded  
Motion: Graham  
Second: Clark  
*Motion passes*

P.O. Longstreet #2061

Allegation: Improper Search  
Recommendation: Exonerated  
Motion: Graham  
Second: Turner  
*Motion passes*

Allegation: Bias Policing  
Recommendation: Unfounded  
Motion: Graham  
Second: Turner  
*Motion passes*

**b. 19-059: Davis**

P.O. Aldridge #280

Allegation: Lack of Service  
Recommendation: Exonerated  
Motion: Graham  
Second: Mountcastle  
*Motion passes with one abstention*

P.O. Hicks #2410

Allegation: Lack of Service  
Recommendation: Exonerated  
Motion: Graham  
Second: Mountcastle  
*Motion passes with one abstention*

**c. 19-077: Williams**

P.O. Cramer #346

Allegation: Lack of Service  
Recommendation: Unfounded  
Motion: Graham  
Second: Clark  
*Motion passes*

**d. 19-141: Johnson**

P.O. Roddy #1753

Allegation: Lack of Service  
Recommendation: Exonerated  
Motion: Graham  
Second: Hess  
*Motion passes*

**e. 19-164: Marbury**

Det. Taylor #1987

Allegation: Lack of Service  
Recommendation: Unfounded  
Motion: Graham  
Second: Mountcastle  
*Motion passes*

**f. 20-029: Smalley**

P.O. Buettner #1317

Allegation: Unprofessional Conduct  
Recommendation: Unfounded  
Motion: Graham  
Second: Mountcastle  
*Motion passes*

P.O. Cox #163

Allegation: Lack of Service  
Recommendation: Exonerated  
Motion: Graham  
Second: Mountcastle  
*Motion passes*

Allegation: Unprofessional Conduct  
Recommendation: Insufficient Evidence  
Motion: Graham  
Second: Turner  
*Motion passes*

- g. 20-037: McClelland. Complainant was present. Complainant stated that the officer is good friends with his ex, and he believed that the officer took a photo of his name and address at the district sign-in book. Complainant stated a few weeks later he learned his identity was stolen, and believes the officer was involved.**

P.O. Yamamoto #388

Allegation: Unprofessional Conduct  
Recommendation: Insufficient Evidence  
Motion: Graham  
Second: Mountcastle  
*Motion passes with one opposed*

- h. 20-090: Roberts**

Sgt. Harhay #9136

Allegation: Improper Arrest  
Recommendation: **\*\*Case was tabled for future meeting\*\***

P.O. Thomas #1744

Allegation: Missing Property  
Recommendation: **\*\*Case was tabled for future meeting\*\***

**i. 20-100: Anonymous**

Sgt. Rivera #9246

Allegation: Unprofessional Conduct

Recommendation: Sustained

Motion: Graham

Second: Hess

*Motion passes*

**j. 20-113: Woods**

P.O. Rodriguez #1353

Allegation: Excessive Force

Recommendation: Exonerated

Motion: Graham

Second: Gatian

*Motion passes*

Allegation: Improper Arrest

Recommendation: Exonerated

Motion: Graham

Second: Gatian

*Motion passes*

P.O. Cardona #308

Allegation: Excessive Force

Recommendation: Exonerated

Motion: Graham

Second: Gatian

*Motion passes*

Allegation: Improper Arrest

Recommendation: Exonerated

Motion: Graham

Second: Gatian

*Motion passes*

#### **VIII (A). REVIEW OF CHIEF DECISIONS**

**16-193:** CPRB accepted the Chief's decision.

**17-209:** CPRB rejected the Chief's decision and voted to appeal this case to the Safety Director.

**19-047:** CPRB rejected the Chief's decision and voted to appeal this case to the Safety Director.

#### **VIII (B). REVIEW OF DIRECTOR'S DECISION**

**15-140:** Director Howard reversed the dismissal of the Chief and issued P.O. Williams #1586 a non-disciplinary verbal counseling.

**16-129:** Director Howard reversed the dismissal of Chief and issued P.O. Hodges #206 a 3-day suspension.

**18-108:** Director Howard reversed the amendment of the Chief and issued P.O. Wilson #1354 a 6-day suspension for his unprofessional comments.

Director Howard concurred with the Chief's dismissal the allegation of failure to cooperate in an OPS investigation against P.O. Wilson #1354 and P.O. Jordon #2227.

**19-036:** Director Howard reversed the dismissal of the Chief and issued P.O. Sabala #853 a 1-day suspension.

#### **XII. ADJOURNMENT**

Motion to adjourn the meeting made by Mr. Graham and Mr. Hess seconded. Meeting adjourned at 13:52 hours.